

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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BRADLEY V. SMITH-OSTROUMOV,
Plaintiff,

Case No. 3:18-cv-00582-MMD-CLB

ORDER

v.

ANDRE LONG, *et al.*,

Defendants.

Pro se Plaintiff Bradley V. Smith-Ostroumov brought this action under Title VII of the Civil Rights Act of 1964. (ECF No. 2-1 at 4.) In a prior order, the Court dismissed Plaintiff's Complaint, but granted Plaintiff leave to file an amended complaint by June 5, 2020. (ECF No. 39.) The Court explicitly stated in that order that, "Plaintiff may file an amended complaint to cure the deficiencies discussed herein by June 5, 2020. Failure to file an amended complaint within the prescribed time period will result in dismissal of this action with prejudice." (*Id.* at 6.) To date, Plaintiff has not filed an amended complaint. "Pursuant to Federal Rule of Civil Procedure 41(b), the district court may dismiss an action for failure to comply with any order of the court." *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260 (9th Cir. 1992); *see also id.* at 1260-63 (affirming dismissal for failure to comply with an order requiring amendment of complaint). And as a function of that power in this case, the Court will dismiss Plaintiff's case with prejudice because Plaintiff has not filed an amended complaint within the time provided by the Court, despite the Court's order that he must.

It is therefore ordered that this case is dismissed with prejudice.

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1 The Clerk of Court is directed to enter judgment accordingly and close this case.

2 DATED THIS 16th Day of November 2020.

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6 MIRANDA M. DU
7 CHIEF UNITED STATES DISTRICT JUDGE
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